

File No.: 14079-1US-R GH/ik

Montreal, Canada
February 13, 2002

IN THE U.S. PATENT AND TRADEMARK OFFICE

In re Application of:

JEAN-GUY CHOUNARD ET AL

For: FUEL CELL STAND-BY
ENERGY SUPPLY SYSTEM

Reissue of Patent No.: 6,028,414

Issued: February 22, 2000

Assistant Commissioner for Patents
Washington, D.C. 20231
U.S.A.

INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 CFR §§ 1.56 AND 1.97

Sir:

In accordance with Applicants' obligations under 37 CFR §§ 1.56 and 1.97, enclosed is a copy of the International Search Report dated May 30, 2000 for PCT/CA99/01217, which are related to this application, as well as copies of the patents referred to in the International Search Report, which are all listed on Form PTO-1449 attached hereto.

JP 10304599 "Power generation plant backup system"

This patent is for the power plant auxiliaries to increase the reliability of the power generation. In the present reissue patent application, the application is a stand-by for when the grid "power plant" suffers interruption. Furthermore, our application has a detection of power failure while the present patent is synchronous.

Assistant Commissioner for Patents

U.S. 4,946,096 "Method and apparatus for operating a furnace from a 12 volt DC battery"

This patent is limited, as indicated by its title, to a furnace with a DC battery as the power supply. Our patent application operates on a fuel cell or an integration fuel cell and battery. Our patent application operates any device including a furnace.

DE 4 215550 – Siemens –

This patent relates to a complex system as a secondary reserve power for an AC grid, i.e., an independent DC generator (a fuel cell) is used, as required, together with a DC storage (ex. SMES). It is not pertinent.

DE 1 9722598 – AEG Energietechnik –

This patent relates to a fuel cell system (especially water/methanol) as a backup and emergency supply. There are no means of detecting and no power conditioning.

DE 1 9538381 – AEG Energietechnik –

UPS type to provide AC power using fuel cell primarily as a stand-by. The system includes a fuel cell (methanol and reformer) and detection of grid failure at a certain level (threshold). Significant distinctions from our patent application.

DE 1 9935754 – Joh. Vaillant –

This patent relates to the control of an energy backup system, batteries-based and/or fuel cell. Basis of patent is load shedding by prioritization of users. We fail to see pertinence with our patent application.

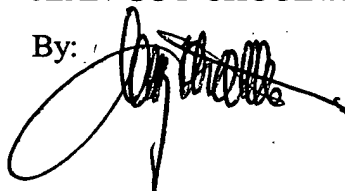
Assistant Commissioner for Patents

The Examiner may or may not consider these documents material to the examination of this application.

Respectfully,

JEAN-GUY CHOUINARD ET AL

By:

A handwritten signature in black ink, appearing to read 'Guy Houle', with a large, sweeping flourish extending from the end of the signature.

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INTERNATIONAL SEARCH REPORT

International Application No

PCT/CA 99/01217

A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 H01M8/04 H02J9/06 H02J3/38

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 H01M H02J

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	PATENT ABSTRACTS OF JAPAN vol. 1999, no. 02, 26 February 1999 (1999-02-26) & JP 10 304599 A (MITSUBISHI HEAVY IND LTD), 13 November 1998 (1998-11-13)	1,2,9-16
Y	abstract	3-8
Y	US 4 946 096 A (BALLARD GARY W ET AL) 7 August 1990 (1990-08-07) whole document	3-8
X	DE 42 15 550 A (SIEMENS AG) 18 November 1993 (1993-11-18) claims figure	1,2,9-16
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☒ Further documents are listed in the continuation of box C.☒ Patent family members are listed in annex.

* Special categories of cited documents:

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier document but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

"G" document member of the same patent family

Date of the actual completion of the international search

3 May 2000

Date of mailing of the international search report

16/05/2000

Name and mailing address of the ISA

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Riba Vilanova, M

INTERNATIONAL SEARCH REPORT

International Application No

PCT/CA 99/01217

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	DE 197 22 598 A (AEG ENERGIE-TECHNIK GMBH) 3 December 1998 (1998-12-03) column 4, line 16 -column 5, line 5 figures -----	1,2,9-16
X	DE 195 38 381 A (AEG ENERGIE-TECHNIK GMBH) 17 April 1997 (1997-04-17) column 3, line 16 -column 4, line 51 figure -----	1,2,9-16
E	DE 199 35 754 A (VAILLANT JOH GMBH & CO) 17 February 2000 (2000-02-17) claims figures -----	1,2,9-16

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/CA 99/01217

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
JP 10304599 A	13-11-1998	NONE	
US 4946096 A	07-08-1990	NONE	
DE 4215550 A	18-11-1993	NONE	
DE 19722598 A	03-12-1998	WO 9854777 A EP 0985240 A	03-12-1998 15-03-2000
DE 19538381 A	17-04-1997	AT 182235 T CA 2234639 A DE 59602457 D WO 9715106 A EP 0855098 A ES 2134014 T US 6011324 A	15-07-1999 24-04-1997 19-08-1999 24-04-1997 29-07-1998 16-09-1999 04-01-2000
DE 19935754 A	17-02-2000	NONE	

Substitute for form 1449A and B/PTO

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Sheet

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of

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Complete if Known

Application Number

Patent 6,028,414

Filing Date

February 22, 2000

First Named Inventor

Jean-Guy Chouinard

Art Unit

Examiner Name

Attorney Docket Number

14079-1US-R GH/ik

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Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant Of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	1*
		Country Code3 – Number4 – Kind Code5 (# known)				
		DE-42 15 550 A	11/18/93	Siemens AG		
		DE 197 22 598 A	12/03/98	AEG Energietechnik GmbH		
		DE 195 38 381 A	04/17/97	AEG Energietechnik GmbH		
		DE 199 35 754 A	02/17/00	Vaillant Joh GmbH & Co.		

**Examiner
Signature**

Date
Considered

¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Substitute for form 1449A and B/PTO <div style="text-align: center;"> INFORMATION DISCLOSURE STATEMENT BY APPLICANT </div> <div style="text-align: center;"> <i>(use as many sheets as necessary)</i> </div>				Complete if Known	
				Application Number	Patent 6,028,414
				Filing Date	February 22, 2000
				First Named Inventor	Jean-Guy Chouinard
				Art Unit	
				Examiner Name	
				Attorney Docket Number	14079-1US-R GH/lk
Sheet	2	of	2		

[illegible]

Examiner Signature		Date Considered	
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*EXAMINER; Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.